

<b>COMPLAINT NUMBER</b>	20/586
<b>ADVERTISER</b>	Brand Developers Ltd
<b>ADVERTISEMENT</b>	Thin Lizzy Cordless UCurl Television
<b>DATE OF MEETING</b>	23 November 2020
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Thin Lizzy television advertisement promotes the Cordless UCurl, a hand held hair curling device. The voiceover for the advertisement says : "It's so easy. Even a four year old can use it to curl her own hair...use it at home, the office even in your car." A woman is shown sitting in the front seat of a car, using the Cordless UCurl to curl her hair.

**The Chair ruled there were no grounds for the complaint to proceed.**

**Complaint:** Thin Lizzy advertising the UCurl. During the ad, they tell you places where you could use your curler. One part of this suggested you could use it in your car. While the occupant of the car was in the drivers seat and the car was clearly not mobile, this suggests it could be used while driving. People dont need further suggestions for how to drive distracted. Our road toll is already too high. While the rest was okay, the only other part suggesting a 4 year old could use it may be an issue, the use while driving suggestion is worse and I recommend amending that part of the advertisement!

**The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(e);**

**Principle 1: Social Responsibility:** Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

**Rule 1(e) Safety:** Advertisements must not, unless justifiable on educational or social grounds, encourage or condone dangerous, illegal or unsafe practices, or portray situations which encourage or condone a disregard for safety.

**The Chair noted the Complainant's concerns the advertisement suggested the Cordless UCurl could be used while driving, or by a four year old, and this was unsafe.**

The Chair said the woman shown using the Cordless UCurl while sitting in the front seat of a car was not driving the car. She was holding the curler with her right hand and her left hand was by her side. She also appeared to be looking at herself in the wing mirror of the car.

The Chair said the advertisement was not recommending the Cordless UCurl was suitable for four years olds to use unsupervised, rather the phrase "even a four year old can use it..." is included to convey the idea that the Cordless UCurl is very easy to use.

While acknowledging the genuine concerns of the Complainant, the Chair said the advertisement did not reach the threshold to encourage a disregard for safety. The Chair ruled the advertisement did not breach Principle 1 or Rule 1(e) of the Advertising Standards Code.

The Chair ruled there were no grounds for the complaint to proceed.

**Chair's Ruling:** Complaint **No Grounds to Proceed**

**APPEAL INFORMATION**

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website [www.asa.co.nz](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.